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 DATE FILED: 7/5/06

THE UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 NICHOLAS ALBERTSON et al.,

Plaintiffs,

vs.

THE CITY OF NEW YORK et al.,
 Defendants.

05-CV-7692 (KMK) (JCF)

CONFIDENTIALITY AND
 PROTECTIVE ORDER FOR
 CONFIDENTIAL
 ATTORNEYS-EYES
 ONLY MATERIAL

-----X
WHEREAS, there is currently an order deemed "Protective Order #1" signed by the Honorable James C. Francis, IV on October 4, 2005 entered in this case on April 27, 2006;

WHEREAS, plaintiffs' responses to discovery requests in this action contain material and information which plaintiffs deem private and confidential and requiring greater protection, and

WHEREAS, defendants will be taking the deposition of plaintiffs, and will seek and receive information which plaintiffs deem confidential,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for plaintiffs and defendants, as follows:

1. As used herein, "Confidential Attorneys-Eyes Only Materials" shall mean all information provided by plaintiffs to defendants, in whatever form, concerning plaintiffs' medical or psychological information, arrest records (which are not public record) and any other personal information not directly related to the circumstances of plaintiffs' arrest on August 31, 2004 and subsequent detention. Confidential Attorneys' Eyes Only Materials shall include, but

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not be limited to, the stenographic record and transcript of the deposition testimony of plaintiffs, including any corrections; and the underlying oral statements by plaintiffs.

2. As used herein, "Defendants" shall refer to The City of New York and its employees and agents, whether or not specifically named in the Complaint in this action.

3. Documents containing Confidential Attorneys-Eyes Only Materials shall be separately bound with a cover page prominently marked "CONFIDENTIAL ATTORNEYS-EYES ONLY."

4. Defendants' shall use Confidential Attorneys-Eyes Only Materials only for purposes of the instant litigation.

5. Defendants' attorneys shall not disclose any Confidential Attorneys-Eyes Only Materials to any person not a member of the staff of their law office. Should defendants wish to disclose Confidential Attorneys-Eyes Only Materials to any other person, they may make an application to the Court upon good cause shown.

6. If a party wishes to file with the Court any paper which reveals Confidential Attorneys-Eyes Only Materials, such paper shall be segregated from other documents, and shall be delivered to the Court enclosed in a sealed envelope or other appropriately sealed container on which shall be endorsed the title of this action, an indication of the nature of its contents, the words "Confidential Attorneys Eyes Only" and a statement in substantially the following terms:

"CONFIDENTIAL, ATTORNEYS' EYES ONLY. Filed Pursuant to Protective Order by _____. Not to be opened nor the contents revealed except (1) by the Court, (2) by agreement of the parties, or (3) by Order of this Court."

The party filing the documents shall serve notice upon all other parties that the above procedure is being invoked.

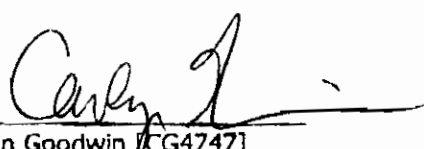
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7. Within 30 days after the termination of this case, including any appeals, the Confidential Attorneys-Eyes Only Materials, including all copies, notes, and other materials containing or referring to information derived therefrom, shall be turned over to plaintiffs' counsel or, upon plaintiffs' consent, destroyed, and all persons who possessed such materials shall verify their return or destruction by affidavit furnished to the plaintiffs' attorneys.

Dated: New York, New York
June 29, 2006

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By: 
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* 8. This Order may be
modified by further
order of the Court.

SO ORDERED:


JAMES C. FRANCIS, IV
UNITED STATES MAGISTRATE JUDGE

6/30/06